



San Diego City Attorney **CASEY GWINN**

MEDIA RELEASE

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CITY ATTORNEY SETTLES FUEL SPILL CASE

Indian Sport Fishing, Inc., owner of a commercial fishing boat in San Diego, will pay more than \$5,000 in penalties and costs to settle an environmental lawsuit stemming from two oil spills in San Diego Bay. The San Diego City Attorney's Consumer and Environmental Protection Unit prosecuted the case, following an investigation by the United States Coast Guard and the California Department of Fish and Game's Office of Oil Spill Prevention and Response.

The first spill occurred in October 1997. An employee of H&M Landing in San Diego noticed the spill near the Landing's commercial docks. The Coast Guard took a sample of the oily bay water. Although no boats were in the immediate area at the time the sample was taken, the Coast Guard was able to match a sample of the spill with one taken later from the bilge of the defendant's boat.

The second spill was reported in June 1998 by an employee of Seaforth Boat Rental, located on the same dock as H&M Landing. Again the Coast Guard was able to match a sample of the spill with the oily bilge water from the defendant's boat.

The science used in this case is similar to matching fingerprints. According to Robin Lewis, Environmental Specialist with the San Diego Office of the Department of Fish and Game: "Any oil will have a unique weathering pattern which can be identified through chemical analysis. The analysis enables us to test two or more oil samples to determine whether they have a common source. The technology helps identify the responsible party when, as in this case, no one sees the spill coming from a particular vessel."

Under California law, boat operators must report all of their oil and fuel spills to both the Coast Guard and the California Office of Emergency Service. "The quicker a spill is reported, the faster the cleanup response

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can begin, resulting in less damage to marine life, the environment, and the public,” said City Attorney Casey Gwinn. The failure of a boat operator to report a spill may result in criminal prosecution with fines up to \$250,000 and prison time.

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